

Remarks

Claim objections 35 USC § 101

Claim 43 has been amended to recite a data carrier having a machine- readable computer software object thereon, thereby rendering the subject matter statutory.

Claim rejections 35 USC § 102

Independent claim 1 has been amended to clarify that one or more of the “nodes” is a contact center having a plurality of agents having identified skills for servicing contacts. Claim 2 has been cancelled as a consequence. Corresponding amendments have been made in each of independent claims 19, 34 and 37-43.

It is respectfully submitted that the rejection of claim 1 as filed over Neely was in error. It is further submitted that the amendments now made in claim 1 further distinguish over Neely. Each of these arguments will be dealt with in turn.

Reasons why claim 1 as filed was novel over Neely

The present invention relates to the field of contact centers and to the distribution of contacts within networks. Claim 1, which specifically recited the distribution of contacts within a network, was rejected over Neely (US 2004/0139157), which is not concerned with the distribution of contacts.

The Office Action alleged that Neely related to the distribution of a contact, as claimed in claim 1, with reference to paragraphs [0093], [0097] and [0107], and with further reference to item 32 of Fig. 4 and items 274 and 277 of Fig. 9. Applicants respectfully submit that this rejection was in error since none of the cited passages is in any way concerned with the distribution of contacts.

The office action is silent on how Neely is alleged to read onto the claimed “contacts”. The content of the passages cited by the Examiner can however be summarised as follows:

- Neely relates to the distribution and sharing of multimedia data in a network, and more particularly, with the sharing of such data among platforms having differing

capabilities [0003] and [0004]. Such differing capabilities may necessitate what Neely calls a “modality transformation” [0007].

- Clients receive metadata about media [0094], namely the relied-on media descriptor objects 32. From this metadata, the client can decide whether a modality transformation is needed [0097], and if so, the process of bidding among transformation services, described at [0093] takes place.
- Finally, paragraph [0107] describes how the client evaluates bids from media transformation services to transform media files for the client.

Multimedia files are not contacts. To treat them as such, or to read a “media descriptor object 32” onto the claimed “contact information entity”, is to ignore the plain meaning of the words of the claim. MPEP 2111.01, directs as follows:

III. "PLAIN MEANING" REFERS TO THE ORDINARY AND CUSTOMARY MEANING GIVEN TO THE TERM BY THOSE OF ORDINARY SKILL IN THE ART

"[T]he ordinary and customary meaning of a claim term is the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention, i.e., as of the effective filing date of the patent application." Phillips v. AWH Corp., [...] ("In the absence of an express intent to impart a novel meaning to the claim terms, the words are presumed to take on the ordinary and customary meanings attributed to them by those of ordinary skill in the art."). It is the use of the words in the context of the written description and customarily by those skilled in the relevant art that accurately reflects both the "ordinary" and the "customary" meaning of the terms in the claims.

The ordinary and customary English meaning of the word “contact” in this context is defined by Merriam-Webster as “an instance of establishing communication with someone <a radio *contact*> or of observing or receiving a significant signal from a person or object (as by radar or sonar) <got three *contacts* on the radarscope>; *also* : a person or object with which such contact is made”. [Citation: "contact." *Webster's Third New International Dictionary, Unabridged*. Merriam-Webster, 2002. <http://unabridged.merriam-webster.com> (29 Jan. 2008).]

More specifically, the term “contact” is used in the art for communications made with contact centers or for the persons with whom such communications are made. The opening paragraphs of the written description clearly show this intended meaning.

Accordingly, Applicants respectfully submit that the ordinary and customary meaning of the word “contacts” cannot include multimedia files to be shared among computers on a network.

For these reasons, claim 1 as filed is not anticipated by Neely.

Amendments which further distinguish over Neely

Claim 1 has essentially been amended to incorporate the content of original claim 2. If for any reason the above argumentation is not convincing, this amendment imparts further novel features to claim 1.

Notwithstanding the rejection of original claim 2 in the Office Action, Neely (US 2004/0139157) does not disclose that one or more of said nodes is a contact center having a plurality of agents for servicing contacts, each agent having identified skills which enable each contact center to determine whether it can service a given contact.

Paragraph [0051], which was relied on to reject claim 2, has no mention or suggestion of a contact center having a plurality of agents for servicing contacts. The paragraph describes how information, shared among various users involved in a mission, is tailored for each user’s role using what is referred to as a GUI Interaction Protocol. The Protocol, which appears to be particularly suited to mission control in military environments, is described in greater detail in paragraphs [0118] to [0126], and this passage is equally silent on contact centers having agents for servicing contacts, with each agent having identified skills such that a decision can be made based on the contact information entity whether a contact can be serviced.

Accordingly, claim 1 as amended is further distinguished over Neely.

Each other independent claim has been limited correspondingly to recite the involvement of contact centers with agents for servicing contacts, and the above arguments thus apply to each

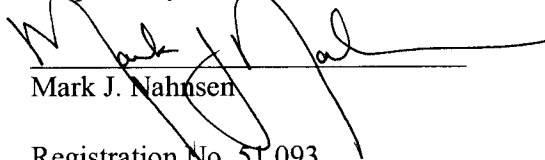
such independent claim and, by extension, to all of the dependent claims which include these features by their dependency.

It is therefore submitted that for the reasons given above, each of claims 1-43 is patentable over Neely. In view of the amendments and arguments made herein, the applicants respectfully request the examiner withdraw the rejections, and allow the application.

Please charge additional deficiencies or credit any overpayments to deposit account number 12-0913 with reference to our attorney docket number 920673-95178.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark J. Nahsen', is written over a horizontal line.

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